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(a) The taking of the property in the name of a person other than the persons mentioned in section two hereof if the consideration is paid or agreed or understood to be paid by an alien mentioned in section two hereof;

(b) The taking of the property in the name of a company, association or corporation, if the memberships or shares of stock therein held by aliens mentioned in section two hereof, together with the memberships or shares of stock held by others but paid for or agreed or understood to be paid for by such aliens, would amount to a majority of the membership or the issued capital stock of such company, association or corporation;

(c) The execution of a mortgage in favor of an alien mentioned in section two hereof if said mortgagee is given possession, control or management of the property.

The enumeration in this section of certain presumptions shall not be so construed as to preclude other presumptions or inferences that reasonably may be made as to the existence of intent to prevent, evade or avoid escheat as provided for herein.

SECTION 10. If two or more persons conspire to effect a transfer of real property, or of an interest therein, in violation of the provisions hereof, they are punishable by imprisonment in the county jail or state penitentiary not exceeding two years, or by a fine not exceeding five thousand dollars, or both.

SECTION 11. Nothing in this act shall be construed as a limitation upon the power of the state to enact laws with respect to the

acquisition, holding or disposal by aliens of real property in this state.

SECTION 12. All acts and parts of acts inconsistent or in conflict with the provisions hereof are hereby repealed; *provided*, that—

(a) This act shall not affect pending actions or proceedings, but the same may be prosecuted and defended with the same effect as if this act had not been adopted;

(b) No cause of action arising under any law of this state shall be affected by reason of the adoption of this act whether an action or proceeding has been instituted thereon at the time of the taking effect of this act or not and actions may be brought upon such causes in the same manner, under the same terms and conditions, and with the same effect as if this act had not been adopted.

(c) This act in so far as it does not add to, take from or alter an existing law, shall be construed as a continuation thereof.

SECTION 13. The legislature may amend this act in furtherance of its purpose and to facilitate its operation.

SECTION 14. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The people hereby declare that they would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact than any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Why California Objects to the Japanese Invasion

By HON. JAMES D. PHELAN

United States Senator from California

THE solution of the Japanese problem, growing out of the California situation, requires prompt action by Congress. It is charged with danger. The people of Japan, as well as the people of the eastern states,

should be informed in a spirit of frankness. There should be no misunderstanding, because misunderstandings breed trouble.

Great numbers of Japanese, men and women, are in California, and are

acquiring large tracts of agricultural land. The state law forbade ownership by aliens ineligible to citizenship, but the Japanese took deeds in the name of their children born on the soil or in the name of the corporations and so circumvented the intent of the law. The initiative law adopted at the recent November elections will, it is hoped, prevent this circumvention, thus making further land acquisition impossible. The Japanese also lease lands and work for a share of the crop, and when thus working for themselves are impossible competitors, and drive the white settlers, whose standards of living are different, from their farms. The white farmer is not free from cupidity when tempted by Japanese to sell out at high prices, and they do sell out and disappear. The state, therefore, is obliged as a simple matter of self-preservation to prevent the Japanese from absorbing the soil, because the future of the white race, American institutions, and western civilization are put in peril. The Japanese do not assimilate with our people and make a homogeneous population, and hence they can not be naturalized and admitted to citizenship. Therefore, the question is principally economic and partly racial. Japan herself excluded Chinese in order to preserve her own people, and that is what California, Australia and Canada are doing. Japanese statesmen must surely, for these reasons, acquit Americans of race prejudice. We are willing to receive diplomats, scholars and travelers from Japan on terms of equality, but we do not want her laborers. We admire their industry and cleverness, but for that very reason, being a masterful people, they are more dangerous. They are not content to work for wages, as do the Chinese, who are excluded,

but are always seeking control of the farm and of the crop.

Immigration and naturalization are domestic questions, and no people can come to the United States except upon our own terms. We must preserve the soil for the Caucasian race. The Japanese, by crowding out our population, produce disorder and Bolshevism among our own people, who properly look to our Government to protect them against this destructive competition. California, by acting in time, before the evil becomes even greater, expects to prevent conflict and to maintain good relations with the Japanese Government.

The American Government rests upon the free choice of the people, and a large majority of the people are engaged in farming pursuits. They form the backbone of every country—the repository of morals, patriotism and thrift, and in time of their country's danger spring to its defense. They represent its prosperity in peace and its security in war. The soil can not be taken from them. Their standards of living can not suffer from deterioration. Their presence is essential to the life of the state. I therefore urge the Japanese Government and people to put themselves in our place and to acquit us of any other purpose in the exclusion of oriental immigration than the preservation of our national life and the happiness and prosperity of men and women who founded the Republic, who have developed its resources, and who occupy the land. It is theirs in trust for their posterity.

The people of Asia have a destiny of their own. We shall aid them by instruction and example, but we can not suffer them to overwhelm the civilization which has been established by pioneers and patriots and which we are dutifully bound to preserve.